

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#16246

In re Application of: GRONHOJ-LARSEN, et al.  
 Serial No.: 09/101,825  
 Filed: July 17, 1998  
 For: SYNTHETIC IL-10 ANALOGUES

Art Unit: 1646  
 Examiner: HAMUD, F.  
 Washington, D.C.  
 Atty.'s Docket: GRONHOJ-LARSEN=2  
 Date: December 21, 1999

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

Sir:

Transmitted herewith is an [ ] Amendment [XX] Third Preliminary Amendment

in

the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
 [ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.  
 [ ] No additional fee is required.

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The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	Small Entity				TECH CENTER 1600/2900		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total	47	Minus	31	=16	x 9	\$		x18	\$288.00	
Indep.	4	Minus	3	=1	x39	\$		x78	\$ 78.00	
First Presentation of Multiple Dependent Claim				+130		\$		+260	\$	
TOTAL ADDITIONAL CLAIMS FEE						\$		Total	\$366.00	

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 55.00  
 [ ] Second - \$190.00  
 [ ] Third - \$435.00  
 [ ] Fourth - \$680.00

Other Than Small Entity

Response Filed Within

[ ] First - \$ 110.00  
 [ ] Second - \$ 380.00  
 [ ] Third - \$ 870.00  
 [ ] Fourth - \$1360.00

[ ] Less fees (\$ ) already paid for months extension of time on

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ . A duplicate copy of this sheet is attached.

[XX] A check in the amount of \$366.00 is attached (check no. 23781).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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*Patent C/11  
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01/5/02*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

) Art Unit: 1646

GRONHOJ-LARSEN, et al.

) Examiner: HAMUD, F.

Serial No.: 09/101,825

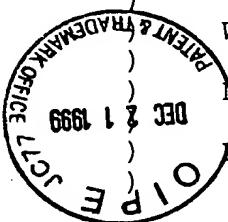
Washington, D.C.

Filed: July 17, 1998

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For: SYNTHETIC IL-10  
ANALOGUES

Docket No.: GRONHOJ-LARSEN=2



THIRD PRELIMINARY AMENDMENT

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

S i r :

Please add the following claims:

*Mark 72*  
--49. A method of preventing or treating a disease which is preventable or treatable by a substance which has at least one of the following properties,

a) induces inhibition of spontaneous IL-8 production by human monocytes,

b) induces inhibition of IL-1 $\beta$  induced IL-8 production by human peripheral blood mononuclear cells (PBMC),

c) induces production of interleukin-1 receptor antagonistic protein (IRAP) by human monocytes,

d) induces chemotactic migration of CD8+ human T lymphocytes in vitro,

e) desensitizes human CD8+ T cells resulting in an unresponsiveness towards rhIL-10,

f) suppresses the chemotactic response of CD4+ T human lymphocytes towards IL-8,

g) suppresses the chemotactic response of human monocytes towards MCAF/MCP-1,

h) inhibits class II MHC molecule expression on human monocytes stimulated by IFN- $\gamma$ ,

i) induces the production of IL-4 by cultured normal human CD4+ T cells,

j) reduces the TNF $\alpha$  production in human mixed leukocyte

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02 FC:102